

ESTTA Tracking number: **ESTTA379589**

Filing date: **11/19/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197047
Party	Defendant Teva Respiratory, LLC
Correspondence Address	Herschel Perel Teva Pharmaceuticals USA Trademarks Departmen 425 Privet Road Horsham, PA 19044 UNITED STATES herchel.perel@tevausa.com
Submission	Withdrawal Of Application
Filer's Name	HOWARD J. SHIRE, ESQ.
Filer's e-mail	tmdocketny@kenyon.com
Signature	/Howard J. Shire/
Date	11/19/2010
Attachments	TRUCLEAR - withdrawal.pdf (3 pages)(70259 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application:

Serial No.: 85/018,725
Mark: TRUCLEAR
Filed: April 20, 2010

Actelion Pharmaceuticals Ltd.

Opposer,

v.

Teva Respiratory, LLC

Applicant.

Opposition No.: 91197047

The Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202
BOX TTAB
NO FEE

WITHDRAWAL OF TRADEMARK APPLICATION WITH CONSENT

Applicant, pursuant to 37 C.F.R. §§ 2.68 and 2.135, hereby expressly abandons with prejudice the above-identified application, which was published for opposition purposes on September 21, 2010, and opposed in Opposition No. 91197047. Applicant requests that the above-identified application be withdrawn and that the opposition be terminated.

This abandonment is filed with the consent of the opposing party as evidenced by the signature below.

Respectfully submitted,

Dated: November 16, 2010

By:


Herschel Perel


Teva Respiratory, LLC
425 Privet Road
Horsham, PA 19044

Applicant

Opposer, Actelion Pharmaceuticals Ltd., hereby consent to the applicant's abandonment of Trademark Application Serial No. 85/018,725.

Dated: November 18, 2010

By:


Scott D. Woldow, Esq.

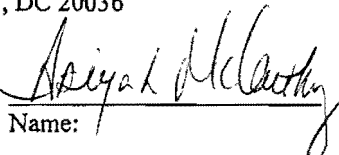
Smith, Gambrell & Russell, LLP
1130 Connecticut Avenue, NW
Suite 1130
Washington, DC 20036

Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that on this 19 day of November 2010, a copy of the foregoing WITHDRAWAL OF APPLICATION WITH CONSENT was deposited with the United States Postal Service as first class postage pre-paid mail, in an envelope addressed to the following:

SCOTT D. WOLDOW, ESQ.
SMITH, GAMBRELL & RUSSELL, LLP
1130 CONNECTICUT AVENUE, NW SUITE 1130
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Name: _____